

## IN THE U.S. PATENT AND TRADEMARK OFFICE

August 27, 2001

Applicant(s): Kurt WALLERSTORFER

For: METHOD FOR THE COMMUNICATION BETWEEN NON-CONTACT DATA  
CARRIERS AND TERMINALS

Serial No.: 09/720 374

Group: 2635

Filed: March 13, 2001

Examiner: Unknown

International Application No.: PCT/EP99/01932

International Filing Date: March 22, 1999

Atty. Docket No.: HPBC Case 79

Assistant Commissioner for Patents  
Washington, DC 20231

## SUBMISSION OF SUBSTITUTE DECLARATION

Sir:

At this time the Applicant submits a substitute  
Declaration for the above-identified application.

Under cover of this Declaration, the Applicant formally  
claims priority from the underlying German Patent App.  
No. 198 27 691.5, filed 22 June 1998.

Respectfully submitted,

  
David S. Goldenberg

DSG\pql

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Ronald J. Tanis	Reg. No. 22 724
Terryence F. Chapman	Reg. No. 32 549
Mark L. Maki	Reg. No. 36 589
David S. Goldenberg	Reg. No. 31 257
Sidney B. Williams, Jr.	Reg. No. 24 949
Liane L. Churney	Reg. No. 40 694
Brian R. Tumm	Reg. No. 36 328
Tricia R. Cobb	Reg. No. 44 621

Encl: Substitute Declaration for Patent Application  
Postal Card

136.9803

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

EXPRESS MAIL LABEL NO.: None

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: HPBC Case 79

U.S. APPLICATION NO.

(If known, see 37 CFR 1.5): 09/720 374

INTERNATIONAL APPLICATION NO.: PCT/EP99/01932 INTERNATIONAL FILING DATE: March 22, 1999

PRIORITY DATE CLAIMED: June 22, 1998

TITLE OF INVENTION: METHOD FOR THE COMMUNICATION BETWEEN NON-CONTACT DATA CARRIERS AND  
TERMINALS

APPLICANT(S) FOR DO/EO/US: Kurt WALLERSTORFER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ A substitute declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

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**Items 11. to 16. below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
First Class Mailing Certificate  
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17. ☐ The following fees are submitted:

**CALCULATIONS PTO USE ONLY**

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO .... \$1000.00  
International preliminary examination fee (37CFR 1.482) not  
paid to USPTO but International Search Report prepared by  
the EPO or JPO ..... \$ 860.00  
International preliminary examination fee (37 CFR 1.482) not  
paid to USPTO but international search fee (37 CFR 1.445(a)(2))  
paid to USPTO ..... \$ 710.00  
International preliminary examination fee paid to USPTO (37  
CFR 1.482) but all claims did not satisfy provisions of PCT  
Article 33(1)-(4) ..... \$ 670.00  
International preliminary examination fee paid to USPTO (37 CFR  
1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).... \$ 100.00  
**ENTER APPROPRIATE BASIC FEE AMOUNT = \$-0-**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)). \$-0-

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$ 18.00	\$-0-
Ind. claims	- 3 =		X \$ 80.00	\$-0-
MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$270.00	\$-0-
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>=</b>	<b>\$-0-</b>

Reduction of 1/2 for filing by small entity, if applicable. Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28). - \$-0-  
**SUBTOTAL = \$-0-**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)). + \$-0-  
**TOTAL NATIONAL FEE = \$-0-**

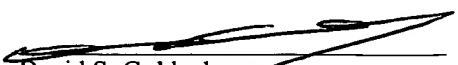
Fee for recording assignment (37 CFR 1.21(h)). The assignment must be accompanied  
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$-0-  
**TOTAL FEES ENCLOSED = \$-0-**  
**Amount to be refunded \$-0-**  
**charged \$-0-**

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed.  
b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate  
copy of this sheet is enclosed.  
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a)  
or (b)) must be filed and granted to restore the application to pending status.**

IN DUPLICATE

SEND ALL CORRESPONDENCE TO:  
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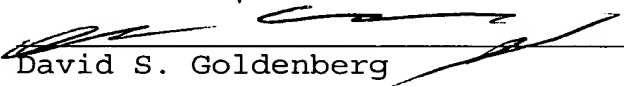
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DATA CARRIERS AND TERMINALS  
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Assistant Commissioner for Patents  
Washington, DC 20231

## FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being deposited  
with the United States Postal Service under 37 CFR 1.8 as first  
class mail in an envelope addressed to: Assistant Commissioner for  
Patents, Washington DC 20231, on August 29, 2001

29  
  
David S. Goldenberg

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	Liane L. Churney	Reg. No. 40 694
	Brian R. Tumm	Reg. No. 36 328
	Tricia R. Cobb	Reg. No. 44 621

Correspondence: Submission of Substitute Declaration with  
enclosures listed thereon  
Postal Card

190.9912